

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

LOUISA HAMPTON

PLAINTIFF

v.

No. 4:08CV00208 JLH

NEW YORK AIR BRAKE CORPORATION

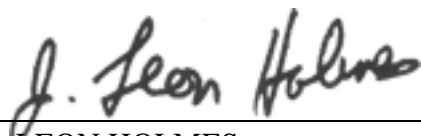
DEFENDANT

ORDER

Louisa Hampton filed a motion for telephonic hearing regarding the failure of New York Air Brake Corporation to consummate a settlement to which the parties agreed on October 26, 2009. The motion was granted. Document #57. On December 22, 2009, the Court conducted a hearing by telephone. Ralph Washington appeared for Louisa Hampton. David Ferrara appeared for New York Air Brake Corporation. Mr. Ferrara stated that a settlement check had been sent in the mail but apparently was lost by the United States Postal Service. He stated that another check would be issued tomorrow and sent to Mr. Washington by some means that will guarantee overnight delivery so that the check will be delivered on December 24, 2009.

The Court will retain jurisdiction for an additional 30 days to enforce the settlement agreement. If Mr. Washington does not receive the promised settlement check by December 31, 2009, he should file a motion to enforce the settlement agreement, and the Court will conduct an evidentiary hearing.

IT IS SO ORDERED this 22nd day of December, 2009.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE